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SENATE BILL 921

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO THE MILITARY; PROVIDING IN-STATE TUITION AND FEES  
TO FAMILIES OF NATIONAL GUARD MEMBERS AND FAMILIES OF CERTAIN  
MEMBERS OF THE ARMED FORCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. [NEW MATERIAL] RESIDENT TUITION FOR FAMILIES  
OF MEMBERS OF THE ARMED FORCES. --

A. A spouse or child of a member of the armed  
forces who is assigned to duty in New Mexico shall be deemed an  
in-state resident for purposes of determining tuition and fees  
at all state institutions of higher learning.

B. A spouse or child of a member of the armed  
forces who is assigned to duty elsewhere immediately following  
assignment to duty in New Mexico shall be deemed an in-state  
resident for purposes of determining tuition and fees at all

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1 state institutions of higher learning as long as the spouse or  
2 child resides continuously in New Mexico.

3 C. A spouse or child of a member of the armed  
4 forces who dies or is killed shall be deemed an in-state  
5 resident for purposes of determining tuition and fees at all  
6 state institutions of higher learning if the spouse or child  
7 becomes a resident of New Mexico within sixty days of the date  
8 of death.

9 D. If a member of the armed forces is stationed  
10 outside New Mexico and the member's spouse or child establishes  
11 residence in New Mexico and files with a state institution of  
12 higher learning at which the spouse or child plans to register  
13 a letter of intent to establish and continue residing in New  
14 Mexico, the spouse or child shall be deemed an in-state  
15 resident for purposes of determining tuition and fees at that  
16 state institution of higher learning without regard to length  
17 of time that the spouse or child has resided in the state.

18 E. A spouse or child of a member of the armed  
19 forces who pays tuition and fees at the rate provided for New  
20 Mexico residents under this section is entitled to pay tuition  
21 and fees at the rate provided for New Mexico residents in any  
22 subsequent term or semester while the person is continuously  
23 enrolled in the same degree or certificate program. For  
24 purposes of this subsection, a person is not required to enroll  
25 in a summer term to remain continuously enrolled in a degree or

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underscoring material = new  
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1 certificate program. A person's eligibility to pay tuition and  
2 fees at the rate provided for New Mexico residents under this  
3 subsection does not terminate because the person is no longer a  
4 child or spouse of a member of the armed forces.

5 F. As used in this section, "armed forces" means  
6 the United States army, navy, air force, marine corps or coast  
7 guard.

8 Section 2. Section 20-4-14 NMSA 1978 (being Laws 1987,  
9 Chapter 318, Section 31) is amended to read:

10 "20-4-14. RESIDENT TUITION. -- A member of the national  
11 guard and the member's spouse and children shall be deemed [an]  
12 in-state [~~resident~~] residents for purposes of determining  
13 tuition and fees at all state institutions of higher learning."